



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

APR 14 2011

Reply To: OCE-133

**CERTIFIED MAIL – 7009 2250 0001 6624 1269**  
**RETURN RECEIPT REQUESTED**

**WARNING LETTER**

Mark Giustino, HR Director  
Delta Marine Industries, Inc.  
1608 South 96<sup>th</sup> Street  
Seattle, Washington 98108

Re: August 12, 2010, NPDES Compliance Inspection  
NPDES Permit Number WAG030091

Dear Mr. Giustino:

On behalf of the United States Environmental Protection Agency (EPA), I would like to express my appreciation for your time and cooperation during the August 12, 2010, National Pollutant Discharge Elimination System (NPDES) inspection of the Delta Marine Industries, Inc. facility in Seattle, Washington. The purpose of the inspection was to gather information regarding your operation as a part of an overall and ongoing evaluation of the compliance status of your facility with the NPDES Permit No. WAG030091 (Permit).

Part S5 of the Permit specifies that the Stormwater Pollution Prevention Plan (SWPPP) must be updated as necessary to maintain compliance with permit conditions. This part of the permit specifies that the SWPPP contain such things as a facility description and a monitoring plan. The inspector noted that several of the items in the SWPPP were either missing or in need of clarification. Failure to assure that the SWPPP contents are consistent with permit requirements is a violation of Part S5 of the Permit.

Part S3.B of the Permit specifies that stormwater discharges shall be visually monitored once per week. In addition, Part S5 of the Permit specifies that each facility covered under this Permit must prepare and maintain a SWPPP specifically developed for their facility. The permit also specifies that the SWPPP must be consistent with permit requirements. At the time of the inspection, the inspector noted that the SWPPP specifies that visual monitoring of stormwater discharges is to be conducted quarterly instead of weekly, as required in the Permit. Failure to assure that the SWPPP contents are consistent with permit requirements is a violation of Part S5 of the Permit.

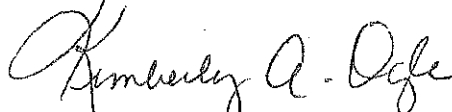
PCS  
4/21/11

Part S2.C.1. of the Permit specifies that the discharge of process wastewater is prohibited. At the time of the walkthrough portion of the inspection, the inspector noted a mechanical saw used for cutting metal. This saw apparently uses a lubricant and water mixture to facilitate the cutting process. The inspector also noted that the water and lubricant mixture was spilling over the containment around the saw and was pooling on the floor near the saw. This pooled liquid was situated approximately twenty-five feet from a floor drain that discharges to the Duwamish River. The inspector did not observe this pooled lubricant mixture enter the floor drain at the time of the inspection, however, failure to prevent this lubricant mixture from entering this drain is a violation of Part S2.C.1. of the Permit.

Although EPA exercises every precaution to ensure accurate inspection findings, we do not want to dismiss the possibility that the inspector may have failed to observe other areas of noncompliance. It is EPA's goal to ensure NPDES facilities comply fully with their permits, however, the ultimate responsibility rests with the facility. As such, I want to strongly encourage your facility to continue its efforts to maintain full knowledge of the Permit requirements and to take appropriate measures to ensure compliance.

Please do not hesitate to contact us with any questions regarding this letter. If you have any questions, please call Joe Roberto at 206-553-1669.

Sincerely,

  
Kimberly A. Ogle, Manager  
NPDES Compliance Unit

cc: Kevin Fitzpatrick, Ecology  
Ellen Stewart, Seattle Public Utilities